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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/830,220	04/23/2004	Takuto Yoshida	040894-7026	9332
9629	7590	07/15/2005	EXAMINER	
MORGAN LEWIS & BOCKIUS LLP 1111 PENNSYLVANIA AVENUE NW WASHINGTON, DC 20004			VELEZ, ROBERTO	
			ART UNIT	PAPER NUMBER
			2829	

DATE MAILED: 07/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/830,220	Applicant(s) YOSHIDA ET AL.	
	Examiner Roberto Velez	Art Unit 2829	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 04/23/2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 3, 4, 6 is/are allowed.
- 6) ☒ Claim(s) 1, 2, 5 and 7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>04/23/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1,2,5,7 are rejected under 35 U.S.C. 102(b) as being anticipated by ***Kazama (US Pat. 5,990,697)***.

Regarding claim 1, ***Kazama*** shows an inspection coaxial probe, comprising a conductive block; Column 3, Lines (53-55), comprising a contact probe [1], comprising a conductive pipe [7b], a conductive plunger [6], and a first retainer [4], comprising a first insulative member through which the first end of the pipe is retained in the vicinity of the first face of the block, such that the pipe is coaxially held within the through hole while forming a gap between an outer periphery of the pipe and an interior wall of the through hole.

Regarding claim 2, ***Kazama*** shows an inspection coaxial probe as set forth in claim 1, wherein the first insulative member is a substrate provided on the first face of the block, and formed with a recess, and a through hole [4a] communicated with the recess, and the first end of the pipe is fitted into the recess such that the plunger [6] coaxially extends through the through hole [4a] of the substrate.

Regarding claim 5, **Kazama** shows an inspection coaxial probe as set forth in claim 1, further comprising a second retainer, comprising a second insulative member [3] through which a second end of the pipe is retained in the vicinity of the second face of the block, wherein the contact probe is electrically connected to a wiring board [8] on which an inspection circuit is provided via the second end of the pipe.

Regarding claim 7, **Kazama** shows an apparatus for inspecting an electrical characteristic of a device, the apparatus comprising, the inspection coaxial probe as set forth in claim 1, and a wiring board [8], on which an inspection circuit [9] is provided, and to which a second end of the pipe is electrically connected.

Allowable Subject Matter

Claim 3,4,6 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent from including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: the prior art of record, taken alone or in combination, fails to disclose or render obvious, a first end portion of the through hole of the block narrowed with the first insulative member being a spacer formed with a recess, (claim 3); a conductive plate, (claim 4); and a second insulative member is a spacer formed with a second recess, (claim 6).

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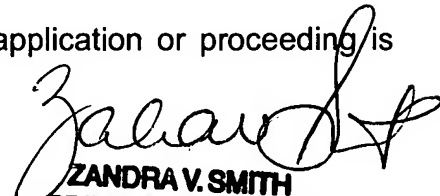
Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ishikawa et al. (6,655,983) disclose an electrical test probe provided with a signal transmitting wire. ***Ishikawa et al. (6,655,983)*** shows an inspection coaxial probe, comprising a contact probe [1], comprising a conductive pipe [7b], a conductive plunger [6]; and a first retainer [4]. However, ***Ishikawa et al. (6,655,983)*** fails to disclose the material used for the retainer and the block.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Roberto Velez whose telephone number is (571) 272-0218. The examiner can normally be reached on 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nestor Ramirez can be reached on (571) 272-2034. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.


ZANDRA V. SMITH
PRIMARY EXAMINER

ZANDRA V. SMITH
EXAMINER

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Roberto Velez
Art Unit 2829